

REQUEST FOR COUNCIL ACTION

SUBJECT: Jordan Meadows Park – Conversion of 2,861 square feet (.07 acre) of park space to public right-of-way for the proposed Jordan Meadows Park Subdivision.

SUMMARY: Consideration and possible action approving the conversion of a portion of Jordan Meadows Park property to future public right-of-way for the proposed Jordan Meadows Park Subdivision, located at approximately 2230 West and 7544 South, in an R-1-8B zoning district, MAR Holdings/Boyd Brown applicant.

FISCAL IMPACT: None.

STAFF RECOMMENDATION:

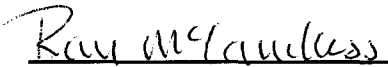
Staff recommends that the City Council adopt a resolution authorizing the conversion of approximately 2,861 sq. ft. of the Jordan Meadows Park to public right-of-way for the proposed Jordan Meadows Park Subdivision located at approximately 2230 West and 7544 South in an R-1-8B zoning district.

MOTION RECOMMENDED:

“I move to that the City Council adopt a resolution authorizing the conversion of approximately 2,861 sq. ft. of the Jordan Meadows Park to public right-of-way for the proposed Jordan Meadows Park Subdivision located at approximately 2230 West and 7544 South in an R-1-8B zoning district.”

Roll Call vote required


Prepared by:


Ray McCandless, Senior Planner

Reviewed by/Concur with:


Tom Burdett, Development Director

Recommended by:


Richard L. Davis, City Manager

Reviewed as to legal form:


Robert Thorup, Deputy City Attorney

DISCUSSION:

MAR Holdings/Boyd Brown is proposing to develop a 5-lot single-family residential subdivision on the south side of the Jordan Meadows Park. The property is in an R-1-8B zoning district at approximately 2230 West and 7544 South. The property is located at the northern end of 2230 West which is currently a stub street. The applicant needs the park space to provide sufficient street width and area for a turn-around as shown on the concept subdivision plat (Exhibit C).

This 1.57 acre property was zoned from R-1-10B to R-1-8B on May 8, 2013. On June 26, 2013, the City Council held a discussion on this matter. The Council's non-binding direction to the applicant is summarized as follows:

The Council was in agreement to NOT proceed with:

Deed/convey the remnant parcel to the City

City contributing to the cost of the improvements on park property

The Council was in agreement to:

Transfer park property to a City dedicated road, but would not gift the property, there would need to be a different exchange option.

Consider a 40-foot right-of-way road design (flexible)

The complete discussion is contained in the June 26th City Council meeting minutes which are attached as Exhibit E.

Since the June 26th City Council meeting, the applicant re-designed the preliminary plat to address the City Council's concerns. The original concept subdivision plat provided at the June 26th meeting shows 4,843 square feet (.11 acres) of park space converted to public right-of-way. The revised drawing shows that only 2,861 square feet (.07 acre) of park space will need to be transferred to public right-of-way. The concept plat also shows the cul-de-sac shifted further to the south, away from the playground and a sidewalk on the north side of the street as recommended by the City Council. There is a parking area (5 spaces) for park users that will be installed by the applicant on park property.

Staff is of the opinion that the proposed sidewalk and parking improvements within the park are of equal or greater intrinsic value than the small amount of park space to be converted to right-of-way. Developing the property as proposed will:

- Provide additional parking for the park and better access to the playground.
- Make the park more accessible to the general public.
- Provide access for emergency vehicles to the south side of the park.
- Give better surveillance of the park as the proposed homes will face the park.
- Provide better pedestrian safety as there will be a sidewalk along the street adjacent to the park.

For these reasons, Staff supports the transfer of park space to public right-of-way as proposed. The City will sign the final subdivision plat as a property owner.

ATTACHMENTS:

- Exhibit A – Zoning and Vicinity Map
- Exhibit B – Aerial Map
- Exhibit C – Concept Plan Drawing
- Exhibit D – Concept Plan
- Exhibit E – City Council Minutes of June 26, 2013
- Exhibit F – Resolution

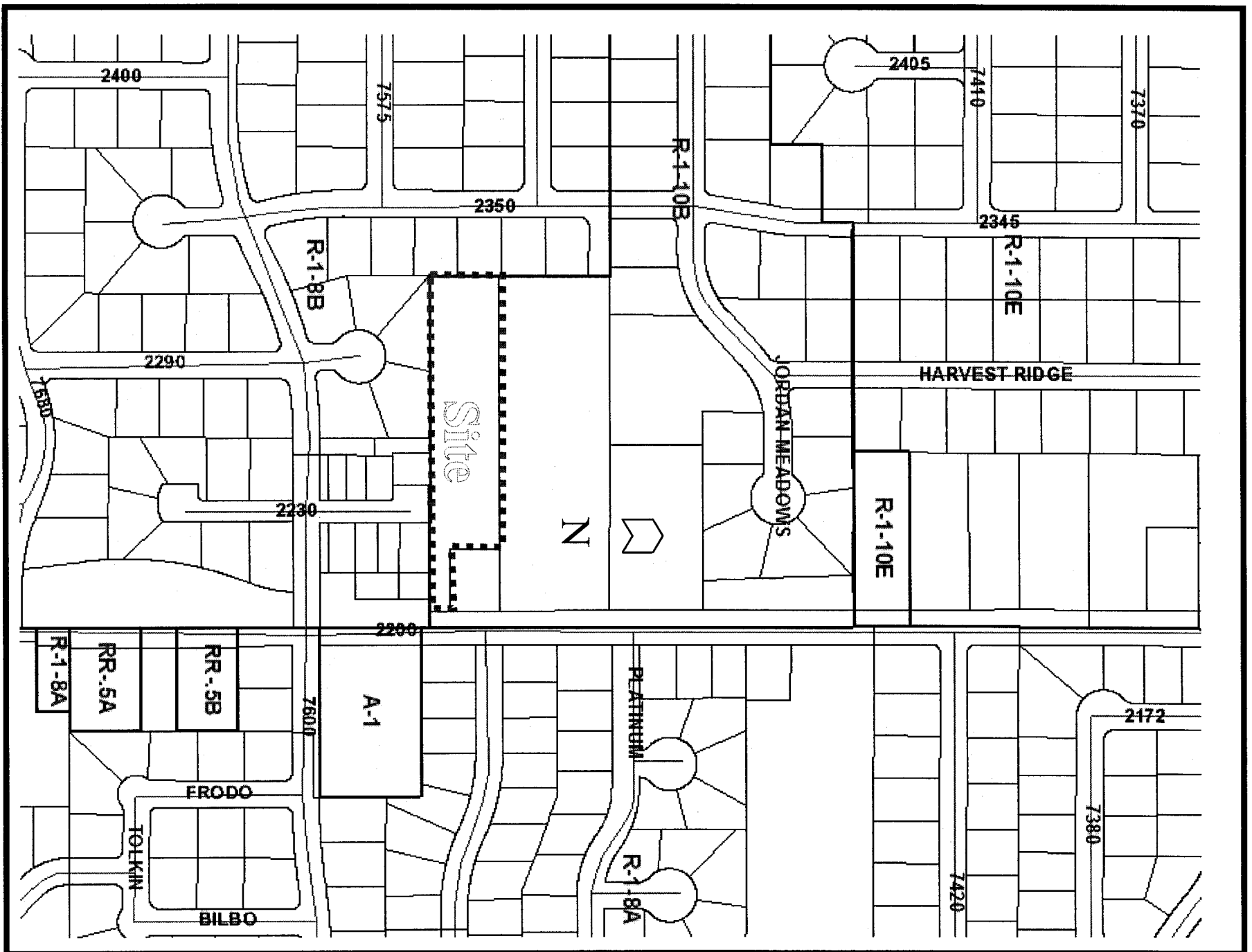


Exhibit A

Zoning and Vicinity Map



Exhibit B

Aerial Map

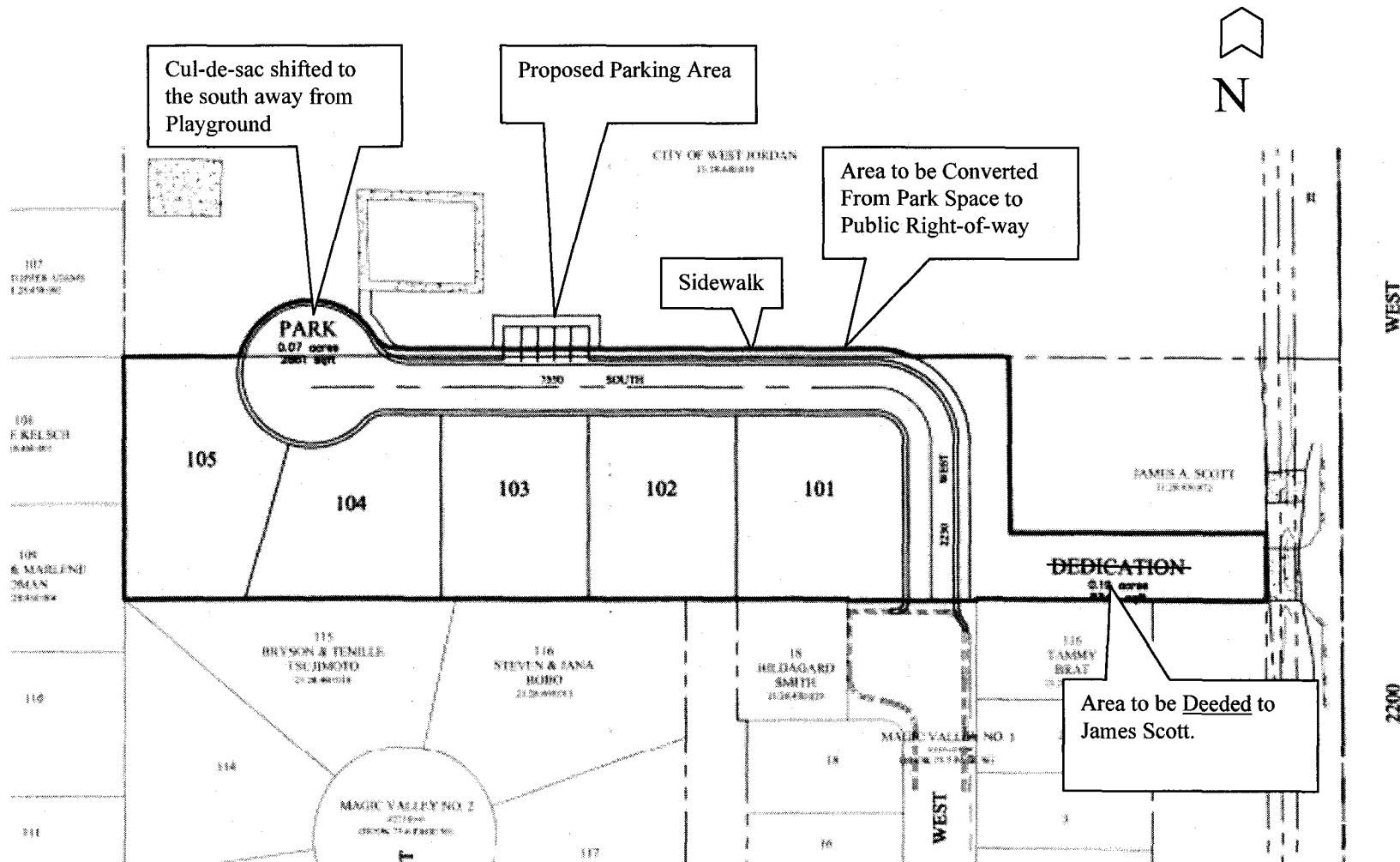


Exhibit D

Concept Plan

City Council Minutes of June 26, 2013

Attached

City Council Minutes

Exhibit E

Councilmember Hansen	Yes
Councilmember Killpack	Yes
Councilmember McConnehey	Abstained
Councilmember Nichols	Yes
Councilmember Southworth	Yes
Councilmember Stoker	Yes
Mayor Johnson	Yes

The motion passed 6-0.

Councilmember McConnehey returned to the dais.

DISCUSSION AND POSSIBLE ACTION REGARDING TRANSFER OF 6,156 SQUARE FEET OF PARK PROPERTY TO CITY DEDICATED RIGHT-OF-WAY; UTILIZE 7,773 SQUARE FEET OF REMNANT PARCEL FOR A NET GAIN TO THE PARK; CONTRIBUTE TO THE COST OF THE IMPROVEMENTS ON THE PARK PROPERTY, FOR THE JORDAN MEADOWS PARK CONCEPT PLAN, LOCATED AT 7544 SOUTH 2200 WEST; MAR HOLDINGS/JASON HARRIS, BOYD BROWN, APPLICANTS

Tom Burdett reviewed that on May 8, 2013 the City Council approved a rezone of 1.57 acres of property located south of the Jordan Meadows Park from R-1-10B to R-1-8B.

He indicated that the applicant had taken the feedback received from the Planning Commission staff, and the City Council and had developed a more refined conceptual subdivision layout (Exhibit C of the Council's Agenda packet, which included the Applicant's *Letter of Intent*). He then introduced Scott Langford, Senior Planner, to present the proposed conceptual subdivision layout.

Scott Langford overviewed the conceptual subdivision layout of the 5-lot development that the applicant was seeking to build. He pointed out that prior to moving forward with a formal subdivision application, the applicant was seeking feedback on the following questions:

- A. Transfer of 6,156 square feet of park property to a City dedicated road.
- B. Deed or otherwise convey 7,773 square feet of property to the City, described as a remnant parcel, for a net gain to the park.
- C. Contribute to the cost of the improvements on park property.
- D. Consider the approval of a 40 foot right-of-way road design for the future road extension of 2230 West.

He indicated a final detailed review of these issues would not be performed by staff until a formal subdivision application had been submitted to the City; however, the following preliminary staff comments were provided to give the City Council and the applicant general direction.

Staff response to question "A": Planning and Engineering staff did not have an issue with this request. The amount of land needed for a future road appeared to have little impact to the existing park improvements.

Staff response to question "B": Staff *did not* support the City acceptance of this remnant parcel. The irregular shape of this left over piece of property would add to park maintenance costs and was not needed for additional storm water storage. Staff recommended that this remnant property be conveyed to the adjacent property owner.

Staff response to question "C": Staff did not support the City paying for the costs of road improvements for private development. The applicant had stated that the City was getting a benefit of increased access to the park and therefore should monetarily contribute to the cost of the new road. The benefit of increased access to the park did not become evident unless off-street parking was provided. 2230 West was not a master planned road, and therefore there was no budget for the contribution of this road. During review of the subdivision application, staff would consider the installation of off-street parking along the north side of 2230 West.

Staff response to question "D": The City Engineer had discussed this option with the applicant and had stated that such a design *might* be acceptable; however, such a design request would be reviewed in more detail once a formal subdivision application had been submitted.

In summarizing the process, he explained that a resolution would need to be provided for the City Council to convert the property from park property to public road right-of-way. However, the conversion should not take place until a subdivision plat was completed, approved, and in need of the City's signature as an owner, so a resolution would not be appropriate at that time.

Staff recommended that the City Council discuss and provide direction to the applicant and staff regarding development of a portion of Jordan Meadows Park, and for a street (cul-de-sac) to facilitate a new residential development.

Mayor Johnson summarized that staff recommended Items A and possibly D, with a negative recommendation on Items B and C (Items A – D detailed above). She asked if the Council were in favor of staff's recommendations. The Council was in agreement, with the exception of Item D, which they felt would need a sidewalk, or an additional 10-foot extension around the perimeter of the park (50-foot total right-of-way), for parking and safety issues.

The Council and staff discussed clarifying questions relating to: 1) the proposed cul-de-sac should be placed further away from the park playground area; 2) the City should not give up park space to benefit the developer (for Closed Session discussion); 3) the placement of the playground; 4) the legalities of fencing the playground; 5) the developer

was responsible for installing the road; 5) the benefits to the community (i.e. parking, added security, access); 6) exchange options between the City and the developer; 7) the majority of the residents were not in favor of additional parking, and 8) the possibility of polling residents for amenities preference.

Mayor Johnson further summarized the Council's direction: 1) they were not interested in participating financially in either gifting park property or accepting property that would be difficult to maintain, or contributing to pay for any of the improvements; 2) they were amenable to the transfer of property, but would like the impact to the park to be minimized; 3) they were open to the reduced road width design dependent upon how it would include sidewalks and amenities that would benefit the neighborhood, rather than having problems created for the existing neighbors.

Jason Harris, applicant, stated his concern with the Council's discussion was that he felt the Council was not looking at the Jordan Meadows Park Concept Plan as a whole. He emphasized the amount of effort that had gone into creating the proposed conceptual subdivision layout, and described how the property would be without it. He felt there was significant benefit(s) to the community for the proposed design. He pointed out that the proposed site plan was not a cost effective way of developing, thus there would not be a developer benefit in the project. Lastly, he asked the Council for clear direction on the proposed Jordan Meadows Park Concept Plan.

Mayor Johnson reemphasized that the challenge with providing clear direction was that until there was a completed subdivision plat, the Council could not approve or deny the proposed conceptual subdivision layout.

COUNCIL'S DIRECTION TO THE APPLICANT (non-binding) -

The Council was in agreement to NOT proceed with:

- Item B - Deed/convey remnant parcel to the City

- Item C - City contribute to the cost of the improvements on park property

The Council was in agreement to:

- Item A - Transfer park property to a City dedicated road, but would not gift the property, there would need to be a different exchange option

- Item D - Consider a 40-foot right-of-way road design (flexible)

Mayor Johnson stated the Council did not object to the conceptual design of the project, or the increase in access to the park. It was some of the details (i.e. exchange of property - park into road and the associated value; road width, and inclusion of sidewalks). They had no interest in it costing the City any money to make improvements, or to have the City participate in either maintenance or construction of the road.

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation

RESOLUTION NO. 14-06

**A RESOLUTION AUTHORIZING APPROXIMATELY 2861 SQUARE FEET OF CITY
PARK PROPERTY TO BE INCLUDED IN A STREET IN THE JORDAN MEADOWS PARK
SUBDIVISION PLAT**

Whereas, the City Council of the City of West Jordan has reviewed a proposed preliminary plat for the Jordan Meadows Park Subdivision (the "Proposed Plat"); and

Whereas, the developer is proposing to include within the plat boundary approximately 2861 square feet of City-owned park property (the "Proposed Dedication"), which property is proposed for inclusion in a public street; and

Whereas, the City Council of the City of West Jordan desires that the owner's dedication on the final plat be executed by the Mayor to dedicate the Proposed Dedication, provided that the final plat is approved and is substantially the same as the Proposed Plat; and

Whereas, the Mayor is authorized to execute the owner's dedication on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THAT:

Section 1. After final subdivision approval of the Jordan Meadows Park Subdivision, the Mayor is authorized to execute the owner's dedication dedicating approximately 2861 square feet of City park property for public use as a street, provided that the final approved plat is substantially the same as the Proposed Plat.

Section 2. If the Proposed Dedication changes or there are other significant revisions to the plat as determined by City staff, staff is directed to present the revisions to City Council for review.

Section 3. This Resolution shall take effect immediately.

Adopted by the City Council of West Jordan, Utah, this 8th day of January, 2014.

CITY OF WEST JORDAN

ATTEST:

By: _____
Mayor Kim V. Rolfe

MELANIE BRIGGS, City Clerk

Res 14-06

Voting by the City Council

"AYE"

"NAY"

Council Member Jeff Haaga

Council Member Judy Hansen

Council Member Chris McConnehey

Council Member Chad Nichols

Council Member Ben Southworth

Council Member Justin D. Stoker

Mayor Kim V. Rolfe
